

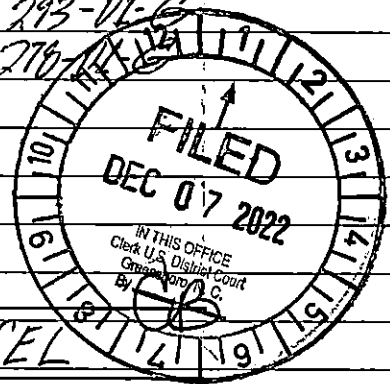
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,
Plaintiff,

V.

: Cr-90-180-01-D
Case No.: Cr-90-293-01-6
: Cr-90-276-01-6

WOODY MALLARD RAYMER,
Defendant.



MOTION FOR APPOINTMENT OF COUNSEL

Woody M. Raymer, Pro Se, respectfully moves this Court to appoint Counsel to represent him on all matters related to his "Motion For Compassionate Release" in this Case, and in Support States:

While there is no general Constitutional right to appointed Counsel in Post-Conviction Proceedings, See U.S. V. Williamson, 706 F.3d 405, 416 (4th Cir. 2013), the Court has discretion

to appoint Counsel in Proceedings under 18 U.S.C. § 3582(c) if the "interests of justice" so require.

See U.S. v. Legree, 205 F.3d 724, 730 (4th Cir. 2000); See also U.S. v. Reed, 482 F. App'x. 785, 786

(4th Cir. 2012) (analyzing interests of justice standard for appointment of Counsel in similar Post-Conviction Proceedings); See also 18 U.S.C. § 3006A(a)(2)(B) (authorizing the Court to provide Counsel to any financially eligible Person seeking relief under 28 U.S.C. §§ 2241, 2254, or 2255 when "the interests of justice so require"). *Id.*

In this case, Mr. Rymmer believes

there are "equitable concerns" that would make the "appointment of Counsel appropriate to ensure a just outcome," in a proceeding under § 3582 (c)(2). See *U.S. v. Webb*, 565 F.3d 789, 795 n.4 (11th Cir. 2009).

Mr. Raymer does not have the capability to adequately present his case in any meaningful manner, without legal assistance. He had a fellow inmate who is adept in law and procedure, prepare his § 3582 (c)(1)(A) motion and this motion. Mr. Raymer's deteriorating physical and mental conditions; his advanced age; and the fact that he is currently incarcerated at the BOP Supermax

facility where he is subjected to severe restrictions, and locked in his cell alone, [a minimum of] 20 hours each day, makes it almost impossible to get legal assistance. See "Motion For Compassionate Release" (detailing Mr. Raymer's health conditions and solitary confinement circumstances).

Mr. Raymer will not have any further assistance from his fellow inmate who prepared his § 3582(c)(1)(A) motion, and this motion, thus he is not capable of advancing his facts, claims, and arguments to prosecute his motion in any future briefings in his § 3582(c)(1)(A) motion.

Mr. Raymer has raised issues in

his § 3582(c)(1)(A) motion that have merit, and deserve to be fully litigated.

Mr. Raymer's § 3582(c)(1)(A) motion is primarily based upon his physical and mental health, but he is unable to compel the BOP to provide him with his relevant medical records that he has requested, for use as exhibits in his motion. Counsel would be able to compel the BOP to provide such medical records.

As the Eleventh Circuit has stated, "the key is whether the pro se party needs help presenting the essential merits of his position to the court." See *Kilge v. Ricks*, 983 F.2d 189, 193 (11th Cir. 1993).

Under these extraordinary circumstances,
Mr. Raymer respectfully moves this
Court to grant his "Motion For
Appointment of Counsel," as "the
interests of justice so require."

Legree, 205 F.3d at 730.

Respectfully Submitted,

Woody M. Raymer
Woody M. Raymer
09346-074

On the Motion:
J. S. Durham, ESQ.
32060-083